

CITY OF NEWPORT DOCKET OF THE COUNCIL MEETING FEBRUARY 26, 2014

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on February 26, 2014, at 6:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **PUBLIC HEARING:** Recommended 2015-2019 Capital Improvement Program
2. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)
 - a. Special Event Licenses:
 - 1) Swanhurst Chorus, d/b/a Comedy Tonight/Dinner Theater; Fenner Ave. Hall, 15 Fenner Ave., March 8, 14, 15, 21 and 22, 2014, from 6:30 p.m. to 10:00 p.m.; March 9 and 16, 2014, from 1:30 p.m. to 5:00 p.m.

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: www.cityofnewport.com – "Docket" (left side of homepage). Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE MADE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY CLERK'S (845-5351) OR CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE ONE WEEK IN ADVANCE OF THE MEETING.

- 2) Michelle Leys, d/b/a My Best Friend's Closet Consignment Sale; Elks Lodge, 141 Pelham St., May 15 - 18, 2014, from 8:00 a.m. to 8:00 p.m.
- 3) Friends of Ballard Park, d/b/a Fundraiser; Edgehill, 31-33 Beacon Hill Road, June 7, 2014, from 6:00 p.m. to 9:00 p.m.
- 4) International Tennis Hall of Fame, d/b/a Hall of Fame Tennis Championships; Tennis Hall of Fame, 194 Bellevue Ave., July 7 – 13, 2014, from 10:00 a.m. to 6:00 p.m.
- 5) The Preservation Society of Newport County, d/b/a:
 - a) The Newport Flower Show; Rosecliff, 548 Bellevue Ave., June 27, 2014, from 9:00 a.m. to 10:00 p.m.; June 28 and 29, 2014, from 9:00 a.m. to 5:00 p.m.
 - b) Annual Summer Dinner Dance; Marble House, 596 Bellevue Ave., August 9, 2014, from 7:00 p.m. to 12 Midnight.
 - c) Newport Mansions Wine & Food Festival; Rosecliff and Marble House; Sept. 19, 2014, from 7:00 p.m. to 11:00 p.m.; Sept. 20 and 21, 2014, from 10:00 a.m. to 5:00 p.m.
- 5) Evangelical Friends Church of Newport, d/b/a Festival of Hope/Concert; Easton's Beach Rotunda;, 175 Memorial Blvd., October 3, 2014, from 5:00 p.m. to 7:00 p.m.
- b. Banner Permit, International Tennis Hall of Fame; America's Cup Ave., and Memorial Blvd. West (20 banners) from June 16 to July 16, 2014
- c. Holiday Selling License, New, Newport Jerky Company, LLC, d/b/a Newport Jerky Company, 207 Goddard Row
- d. Pawnbroker's License, Renewal, Spindle City Pawnbrokers, Inc., d/b/a Spindle Fall River Pawnbrokers, 310 Broadway (relocation to 128 Broadway previously approved, effective after 4/30/14)

- e. Holiday Selling License, Renewal, Spindle City Pawnbrokers, Inc., d/b/a Fall River Pawn Brokers, 310 Broadway (relocation to 128 Broadway previously approved, effective after 4/30/14)
- f. Communication from William Munger, President, Conanicut Marine Services, Inc., asking permission for the *Jamestown Newport Ferry* to continue to provide scheduled ferry service to and from Perrotti Park and Fort Adams, and in 2014 to include the Ann Street Pier. (Approve subject to details being worked out with the city administration.)
- g. Resignation of Sarah Atkins from the Charter Review Commission and the Economic Development Working Group (Receive with regret)
- h. Communication from the Energy and Environment Commission, re: Mandatory Licensed Events Recycling Proposal and Technical Memo (Receive)
- i. CRMC Public Notice, File No. 2014-01-048, Application of the International Yacht Restoration School for an Assent to reconfigure an existing limited marina without any increase in the boat count (19) or modification of the Marina Perimeter Limit; also requesting the limitation of only historic yachts that have been restored and maintained by IYRS be modified to allow that use, as well as typical recreational boat dockage within Newport Harbor. (Receive; Request filed with CRMC for extension of March 4th deadline for comments so that Waterfront Commission and Planning Board comments can be received on March 12th council docket)
- j. Annual Report of the Trust & Investment Commission (Receive)

LICENSES & PERMITS

- 3. Annual Entertainment License, Class A (indoors), New, Seamen's Church Institute, 18 Market Square (Second Hearing)
- 4. Annual Entertainment License, Class A (indoors), Expansion, Barking Crab Newport, LLC, d/b/a the Barking Crab Restaurant, 151 Swinburne Row, adding deejay, 3-5 member band, 3-5 vocalists, and guitar, bass, and drums (Second Hearing)

5. Annual Entertainment License, Class B (outdoors), Expansion, Five Tempus Ltd, d/b/a O'Brien's Pub, 501 Thames St. to allow media entertainment (television, video and radio) on outside patio until 12:30 a.m. (Current outdoor restrictions: April 15 to Sept. 30, from 12 Noon until 8:00 p.m., no more than three musicians, including vocalist, at any time.) (First Hearing)
6. Victualing License, Renewal, Bamboo Restaurant, Inc., d/b/a Bamboo, 163 Connell Highway, Unit G
7. Pedicab Business License, Renewals - Continued from Jan. 22, 2014 (Consider after Docket Item #17, Pedicab Ordinance)
 - 1) Pirate Pedicab, LLC (by David Cass), 18 Pallas St., Providence, RI – four (4) pedicabs; requesting two additional, for a total of six (6).
 - 2) Andrew Croan, d/b/a Pedi-Power Pedicabs, 783 Rock St., Fall River, MA – six (6) pedicabs
 - 3) Newport Pedicab, LLC (by Ben Morris), d/b/a Newport Pedicab, P.O. Box 180361, Boston, Ma – six (6) pedicabs

COMMUNICATIONS & PETITIONS

8. Council Updates: IT Working Group – N. Neville

9. APPOINTMENTS TO BOARDS AND COMMISSIONS

Bicycle & Pedestrian Safety Advisory Commission (1 vacancy). Applicants: Brian Kiracofe

RESOLUTIONS

10. Recognizing Finance Director Laura Sitrin and Budget & Finance Analyst Elizabeth Sceppa on achieving for the ninth consecutive year the "Distinguished Budget Presentation Award" from the General Finance Officers Association (GFOA)
11. Encouraging Rhode Island's Congressional Delegation to enact a long-term Federal Transportation Reauthorization Act that will provide the necessary federal resources to maintain and improve Rhode Island's transportation

infrastructure – N. Neville

ORDINANCES

12. Amending Chapter 2.120.010 of the Codified Ordinances, entitled, “Fees for Permits and Licenses,” to impose a \$50.00 filing fee for Daily Liquor, Daily Entertainment, and Special Event license applications filed out of time and requiring administrative approval. (Second Reading)
13. Amending Chapter 2.120.010 of the Codified Ordinances, entitled, “Fees for Permits and Licenses,” to add fees for Pedicab Business Licenses, Replacement Decals, and Pedicab Operator Permits. (Second Reading)
14. Amending Chapters 5.68 (Public Entertainment) and 5.70 (Special Events) of the Codified Ordinances to allow for administrative approval of applications filed out-of-time for an event that will occur prior to the next regularly-scheduled council meeting (Second Reading)
15. Amending Chapter 10.24.010 of the Codified Ordinances, entitled, Parking Prohibited at All Times in Designated Areas,” to prohibit parking on the east side of Meikle Avenue. (Second Reading)
16. Amending Title 12 of the Codified Ordinances by deleting in its entirety Chapter 12.28, entitled, “Newport Harbor,” and creating a new Chapter 12.28, entitled, “Newport Harbor” (Second Reading)
17. Amending Title 5 of the Codified Ordinances by deleting in its entirety Chapter 5.97, entitled, “Pedicab,” and creating a new Chapter 5.97, entitled, “Pedicab. (Second Reading)
(Consideration of Pedicab Business License Renewals)

COMMUNICATIONS FROM THE CITY MANAGER

18. Action #5237/14, re: Interstate Navigation Agreement for Use of Perrotti Park (with accompanying resolution)
19. Action #5238/14, re: Award of Bid #14-017 – Design/Build Services for Permanent Abandonment of Overflow Structure No. 1 and Adjustment of Existing Weirs Project (with accompanying resolution)

20. Action #5239/14, re: Award of Bid #14-023 – Freebody Stadium ADA Sidewalk improvements (with accompanying resolution)
21. Action #5240/14, re: Supplemental Agreement (Bid #13-027) – Building Envelope Assessment (with accompanying resolution)
22. Action #5241/14, re: Historic Stacked Stone Walls and Paper Streets – Staff Recommendations on Planning Board Communication (with accompanying resolution)

ADJOURN AND CONVENE AS BOARD OF LICENSE COMMISSIONERS.

BOARD OF LICENSE COMMISSIONERS

CONSENT CALENDAR . (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)

■ Class F-1 Daily Liquor License:

1. International Tennis Hall of Fame, July 7 to 13, 2014, from 10:00 a.m. to 6:00 p.m.
2. The Preservation Society of Newport County:
 - a) The Newport Flower Show; Rosecliff, 548 Bellevue Ave., June 27, 2014, from 9:00 a.m. to 10:00 p.m.; June 28 and 29, 2014, from 9:00 a.m. to 5:00 p.m.
 - b) Annual Summer Dinner Dance; Marble House, 596 Bellevue Ave., August 9, 2014, from 7:00 p.m. to 12 Midnight.
 - c) Newport Mansions Wine & Food Festival; Rosecliff and Marble House; Sept. 19, 2014, from 7:00 p.m. to 11:00 p.m.; Sept. 20 and 21, 2014, from 10:00 a.m. to 5:00 p.m.

ADJOURN

Kathleen M. Silvia
City Clerk

February 19, 2014